

### REMARKS

This application has been carefully reviewed in light of the Office Action dated January 10, 2008. Claims 1 to 16 are pending in the application, with claims 14 to 16 having been newly added therein. Claims 1, 5 and 9 are the independent claims. Reconsideration and further examination are respectfully requested.

As an initial matter, Applicant thanks the Examiner for the courtesies extended to Applicant's representative in a telephone interview on March 6, 2008. During that interview, Applicant's representative traversed the rejection under 35 U.S.C. § 102(e) over Massarani on the basis that Massarani fails to disclose the claimed determining step of the present invention. Nevertheless, the Examiner maintained his position that the claims, as currently written, are anticipated by Massarani. Applicant's representative then discussed some potential amendments with the Examiner. Specifically, the Examiner indicated that he believed the claims should be amended to clarify the obtained address as being a "network address" and of the identification data unique to the apparatus as being a "local address unique to the apparatus". However, no agreement was reached on the claims.

Additionally, while no rejections under 35 U.S.C. § 101 were entered in the Office Action, the Examiner contended that Claims 5 to 8 should be amended to be directed to a computer readable storage medium rather than a program. Without conceding the correctness of the contention, Claims 5 to 8 have been amended to be directed to a computer readable storage medium.

In the present Office Action, Claims 1 to 3, 5 to 7 and 9 to 11 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,393,484 (Massarani), Claims 4, 8 and 12 were rejected under 35 U.S.C. § 103(a) over Massarani in view of U.S. Publication No. 2003/0041167

(French), and Claim 13 was rejected under 35 U.S.C. § 103(a) over Massarani in view of U.S. Publication No. 2002/0062485 (Okano). Reconsideration and withdrawal of these rejections are respectfully requested.

The present invention concerns generating a network address for each device on a network utilizing a MAC address for the respective device. An address restriction apparatus in accordance with the invention, such as a router, determines address collision between devices, and in doing so, the address restriction apparatus obtains a network address and the MAC address of the device. The address restriction apparatus then determines whether the obtained tentative network address is a network address which is within an address range determined according to a predetermined rule and has been generated from the obtained local address unique to the transmission source device. When the tentative network address is the network address which is within the address range determined according to the predetermined rule and has been generated from the obtained local address unique to the transmission source device, the address restriction apparatus permits the transmission source to use the tentative network address for performing communication on the network. However, when the tentative network address is the network address which is within the address range determined according to the predetermined rule but has not been generated from the obtained local address unique to the transmission source device, the address restriction apparatus sends a message to the transmission source device forbidding the use of the obtained tentative network address.

Referring specifically to the claims, amended independent Claim 1 is directed to an address restriction method executed by an address restriction apparatus on a network. The method includes obtaining, from a message received from a transmission source device, a tentative network address generated by the transmission source device, which device is

connected to the network, and a local address unique to the transmission source device. The method also includes determining whether the obtained tentative network address is a network address which is within an address range determined according to a predetermined rule and has been generated from the obtained local address unique to the transmission source device. In a case where the determining step determines that the tentative network address is the network address which is within the address range determined according to the predetermined rule and has been generated from the obtained local address unique to the transmission source device, the method includes permitting the transmission source to use the tentative network address for performing communication on the network. In a case where the determining step determines that the tentative network address is the network address which is within the address range determined according to the predetermined rule but has not been generated from the obtained local address unique to the transmission source device, the method includes sending a message to the transmission source device forbidding the use of the obtained tentative network address.

Amended independent Claims 5 and 9 are computer medium and apparatus claims, respectively, that substantially correspond to Claim 1.

Applicant submits that the applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1, 5 and 9, and in particular, is not seen to disclose or to suggest at least the feature of determining whether an obtained tentative network address is a network address which is within an address range determined according to a predetermined rule and has been generated from an obtained local address unique to a transmission source device, and, in a case where it is determined that the tentative network address is the network address which is within the address range determined according to the predetermined rule and has been generated from the obtained local address unique to the

transmission source device, permitting the transmission source to use the tentative network address for performing communication on the network, and in a case where it is determined that the tentative network address is the network address which is within the address range determined according to the predetermined rule but has not been generated from the obtained local address unique to the transmission source device, sending a message to the transmission source device forbidding the use of the obtained tentative network address.

In contrast, Massarani discloses that a user's computer submits a DHCP request to obtain an IP address from a server. The request includes a MAC address of the user's computer. When the server receives the DHCP request, it extracts the MAC address from the DHCP and looks to see if the MAC address is registered to determine if the user is a registered user. If the MAC address is not found, then the DHCP request for the IP address is denied. If, however, the MAC address is found, meaning that the user is a registered user, then an IP address is obtained and provided to the user's computer.

Thus, one difference between the present invention and Massarani is that Massarani does not perform the claimed determining step. That is, Massarani merely determines whether or not a user is a registered user based on the MAC address, and if so, an IP address is obtained and provided to the user's computer. In contrast, an apparatus in accordance with the present invention determines whether or not the obtained IP address has been generated from the MAC address, and Massarani fails to perform this step.

In addition, Applicant has reviewed the remaining references and submits that French and Okano are not seen to cure the deficiencies of Massarani as discussed above. In light of these deficiencies in the references and the foregoing amendments and remarks, Applicant

submits that amended independent Claims 1, 5 and 9 are now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised in the Office Action, and in view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

### CONCLUSION

No claim fees are believed due; however, should it be determined that additional claim fees are required, the Director is hereby authorized to charge such fees to Deposit Account 50-3939.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Frank Cire, #42,419/

Frank L. Cire

Attorney for Applicant

Registration No.: 42,419

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200